

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GERONIMO REGALADO,

Plaintiff,

CIVIL NO. 10-1246 MCA/LFG
Consol. with CIVIL 11-316 MCA/LFG

CHRIS FRENTZEL, ADOLPH
CHAVEZ, FNU BEBE, and THE
INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS LOCAL 611,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION**

THIS MATTER comes before the Court on the Magistrate Judge's *Report and Recommendation that Consolidated Cases be Dismissed without Prejudice* [Doc. 61], filed November 21, 2011. Objections were due within 14 days of service of the report and recommendation, [see id. at 1 n.1], but none were filed.

Pursuant to the "firm waiver" rule to which the Tenth Circuit subscribes, a party who fails to object to a magistrate judge's findings and recommendations in a timely manner waives appellate review of both factual and legal questions. See Wirsching v. Colorado, 360 F.3d 1191, 1197 (10th Cir. 2004). Thus, absent objections, appellate review is not permitted.

IT IS, THEREFORE, ORDERED that the Magistrate Judge's *Report and Recommendation that Consolidated Cases be Dismissed without Prejudice* [Doc. 61] is hereby adopted by the Court;

IT IS FURTHER ORDERED that this cause be and hereby is **DISMISSED** without **PREJUDICE**.

SO ORDERED this 12th day of December, 2011, in Albuquerque, New Mexico.

A handwritten signature in black ink, appearing to read "M. Christina Armijo", is written over a horizontal line.

M. Christina Armijo
United States District Judge